

# THE 12<sup>TH</sup> ASSEMBLY DISTRICT REPORT



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**PROUDLY REPRESENTING SAN FRANCISCO AND SAN MATEO COUNTIES**

September 2006

## YEE COMPLETES FINAL ASSEMBLY SESSION



### **TWELVE YEE AUTHORED BILLS SUCCESSFULLY PASS STATE LEGISLATURE IN 2006**

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2006 marked an eventful and productive year for Speaker pro Tem Yee as he successfully passed twelve pieces of legislation. Combined with the twenty-two bills he passed in 2005, Yee was able to move thirty-four bills to the Governor's desk in the two year legislative session. Although not termed out of the State Assembly, 2006 is likely Yee's final year in the lower house as he is expected to win election to the State Senate in November.

I am honored that my colleagues in the Legislature embraced numerous pieces of legislation that I authored and

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## CALIFORNIA BECOMES FIRST STATE TO PROTECT STUDENT PRESS



### **FIRST-IN-THE-NATION LEGISLATION PROHIBITS CENSORSHIP OF COLLEGE AND UNIVERSITY MEDIA**

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Governor Arnold Schwarzenegger recently signed Assembly Bill 2581 authored by Speaker pro Tem Yee, making California the first state in the nation to specifically prohibit censorship of college student press, including school newspapers and broadcast journalism.

"California is leading the way in making sure true freedom of the press is alive and well on our college campuses," said Yee. "College journalists deserve the same protections as any other journalist. Allowing a school administration to censor is contrary to the democratic process and the ability of a student newspaper to serve as the watchdog and bring sunshine to the actions of school administrators."

Earlier this year, U.S. Seventh Circuit Court ruled that a college administrator could require student editors of a state university's newspaper to submit articles for prior review before the newspaper would be sent to the printer for publication.

The case known as *Hosty v. Carter* involved two editors and a reporter at the *Innovator*, a student newspaper at Governor's State University in Illinois. The newspaper published a series of articles critical of the school's administration, including one about the decision not to renew the contract of the *Innovator's* advisor.

Subsequently, the dean of student affairs instituted a requirement that the newspaper had to submit articles to the

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fought for,” said Yee. “Advocating for our children, protecting our environment, creating healthier communities, embracing our diversity, and improving our state’s economy, continue to be my top priorities in the State Legislature.”

In August, Governor Arnold Schwarzenegger signed into law **AB 2581**, making California the first state in the nation to specifically prohibit censorship of college student press, including school newspapers and broadcast journalism.

The State Legislature sent the Governor **AB 409**, emergency legislation aimed at protecting California consumers from unsanitary nail salons. Unlike most bills that do not take effect until January 1, if signed into law by Schwarzenegger, the bill would take effect immediately as an urgency statute.

Other bills authored by Yee and currently being considered by Schwarzenegger include:

- **AB 450** to require disaster preparedness agencies to consider household pets, service animals, equines, and livestock in emergency evacuation planning.
- **AB 469** will update state guidelines for school nutritional standards to include “sugar and sodium” in the list of foods classified as sources of unhealthy calories.
- **AB 2004** is expected to cut down on recidivism and homelessness of formerly incarcerated youth by requiring Medi-Cal benefits to be immediately reinstated for incarcerated juveniles upon release.
- **AB 1852** will increase the number of mental health professionals eligible for educational loan forgiveness under the Licensed Mental Health Provider Education Program and the Mental Health Practitioner Education Fund, both established by legislation authored by Yee in 2004.
- **AB 2357** preserves Laura’s Law, the statute that allows counties to enforce Assisted Outpatient Treatment (AOT) orders for some potentially dangerous mentally ill patients.
- **AB 1969** will increase the production of renewable energy in California by allowing water and wastewater agencies to sell environmentally-friendly energy – such as small hydro, solar, and biogas – produced by their treatment and delivery facilities to electrical companies, resulting in up to 250 new megawatts of energy into the state’s grid.
- **AB 1207** will help end discrimination against the Lesbian, Gay, Bisexual, and Transgender (LGBT) community during campaigns by prohibiting the use of any negative appeal based on prejudice of sexual orientation or gender identity by candidates or campaign committees who sign the voluntary pledge provided for in the Code of Fair Campaign Practices.
- **AB 790** aims at protecting consumers from unscrupulous and/or fraudulent lending practices by declaring that if a lender knowingly misrepresents their background, education, training or expertise, their lending license may be revoked or suspended by the CA Department of Real Estate.
- **AB 2776** removes an undue financial burden on Community Treatment Facilities that serve severely emotionally disturbed children.

Earlier this year, Yee passed **AJR 106** declaring the first statewide White Ribbon Campaign (WRC), an effort to get more men involved in violence prevention.

“Despite all of our accomplishments this session, the Governor has the final say on whether or not the legislature’s bills

become law,” Yee. “That is why it is so imperative that the public speak out and contact his office to make sure these important pieces of legislation are signed.”

The Governor has until September 30 to sign or veto all bills passed by the Legislature. Non-urgency bills that are signed become law on January 1, 2007. ❖

## BRADY CAMPAIGN HONORS YEE FOR VIOLENCE PREVENTION

*NCSL TO CELEBRATE STATE LEGISLATORS EARNING A+  
FOR GUN VIOLENCE PREVENTION*

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For his commitment to ending gun violence, Speaker pro Tem Yee was named to the Gun Violence Prevention Honor Roll by the Brady Campaign. The Brady Campaign honored Yee and other state legislators from throughout the country who earned an A+ for working against gun violence at a reception during the National Conference of State Legislators in Nashville, Tennessee, on August 16, 2006.

“More than nine children are killed each day as a result of gun homicides, suicides, and unintentional shootings in the United States alone,” said Yee. “While I am proud to stand up against the gun industry and support violence prevention efforts, it is unfortunate that such legislative measures are still needed to end these senseless acts of violence.”

The Brady Center to Prevent Gun Violence and its legislative and grassroots affiliate, the Brady Campaign, is the nation’s largest, non-partisan, grassroots organization leading the fight to prevent gun violence.

According to the Brady Center, named after the former White House press secretary who was shot along side President Ronald Reagan in 1981, gun violence costs the US over \$100 billion annually in loss of productivity, mental health treatment and rehabilitation, and legal and judicial costs. Over half of family murders are caused by firearms. Firearms assaults have been found to be twelve times as likely to result in death as non-firearms assaults. A gun kept in the home is twenty-two times more likely to be used in an unintentional shooting, a criminal assault or homicide, or an attempted or completed suicide than to be used to injure or kill in self-defense.

Crime statistics released last month by Attorney General Bill Lockyer showed that while there has been an overall statewide decrease in violent crime, the Peninsula has seen a significant rise in such incidents. San Mateo County’s violent crime rate increased 12.9 percent from 2004 to 2005 and San Francisco witnessed a 4 percent increase, whereas statewide the violent crime rate actually decreased 5.1 percent.

This year Assemblyman Yee co-authored **AB 352** (Koretz), a first-in-the-nation bill to require new semiautomatic handguns to be equipped with ballistics identification technology known as microstamping. This new technology engraves characters on the firing pin of a handgun, which are transferred to the bullet casing when the handgun fires, providing a lead to law enforcement in solving gun crimes. ❖



## YEE CONTINUES FIGHT FOR FILIPINO WWII VETERANS



### **LEGISLATION WILL ADD THE ROLE OF FILIPINOS IN WWII TO HIGH SCHOOL SOCIAL STUDIES CURRICULUM**

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The State Legislature has once again passed legislation to add the role of Filipinos in WWII to the high school social studies curriculum. Assembly Bill (AB) 1076, authored by Assemblyman Jerome Horton and co-authored by Speaker pro Tem Yee, is the third attempt in three years designed to encourage social studies instruction to include a component of personal testimony of Filipinos who were involved in World War II.

"This legislation will provide our children with the true history of our country," said Speaker pro Tem Yee. "It is important that all our young people learn about the courage Filipino veterans exerted during WWII. I urge the Governor to finally sign this bill into law."

AB 1076 will also ask that personal testimony include comments on the aftermath of the war and the immigration of Filipinos to the United States. Under existing law, schools may provide instruction in the area of social sciences concerning Southeast Asia and the Vietnam War, but the inclusion of Filipinos and their contributions to WWII are not specifically listed.

"Two hundred thousand Filipinos were drafted and fought alongside U.S. troops in WWII," said Speaker pro Tem Yee. "These soldiers and their survivors do not enjoy the same benefits as other soldiers; at the very least they deserve to be fully recognized in our history classes."

AB 1076 is similar to AB 2512 of 2004 and AB 15 of 2005, both of which were vetoed by Governor Arnold Schwarzenegger (R-Los Angeles) despite overwhelming bipartisan support. AB 15 passed this week on a bipartisan 73-4 vote in the Assembly.

The Governor has until September 30 to sign or veto the bill.

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*COLLEGE, continued from page 1*

administration for approval prior to publication.

The District Court first ruled that the students' First Amendment rights were violated, but the Seventh Circuit Court of Appeals reversed the lower court decision and recently the US Supreme Court declined to hear the students' appeal. Prior to this decision, it was assumed in California that student publications had the same First Amendment protections as professional publications.

In fact, the Seventh District decision spurred Christine Helwick, General Counsel for the California State University system, to send a memo to presidents at each CSU campus that read, "The [Hosty] case appears to signal that CSU campuses may have more latitude than previously believed to censor the content of subsidized student newspapers."

Ironically, a state law written in 1992 provided censorship protection for high school publications. AB 2581 would ensure such free speech protections for college publications, specifically prohibiting censorship of student newspapers at any UC, CSU, or community college. The bill would also prohibit any college, university or community college officials from disciplining a student who engages in speech or press activities.

"Freedom of speech is the cornerstone of our democracy," said Governor Schwarzenegger. "Students working on college newspapers deserve the same rights afforded to every other student journalist."

"AB 2581 is essential in order for student newspapers in California to have the free speech protections they deserve," said Jim Ewert, Legal Counsel for the California Newspaper Publishers Association. "Although we will continue to push for the Supreme Court to validate the rights of college newspapers, in California through AB 2581, we are taking the proactive steps to make sure similar censorship does not occur at our colleges and universities."

AB 2581 will officially become law on January 1, 2007.

**[CLICK TO HEAR LELAND YEE ON AB 2581](#)**

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## YEE PASSES BILL TARGETING FRAUDULENT LENDERS

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The State Legislature sent Governor Schwarzenegger a bill aimed at protecting consumers from unscrupulous and fraudulent lending practices. AB 790, authored by Speaker pro Tem Yee, allows the California Department of Real Estate to suspend or revoke a license if a lender knowingly misrepresents his/her background, education, training or expertise.

"Buying a home is usually the biggest purchase a family will make in their lifetime," said Yee. "During this stressful time, AB 790 will help protect consumers and give them the peace of mind that the lender they are using is correctly represented."

In the increasingly confusing home buying and mortgage lending market, consumers often turn to real estate agents and mortgage professionals who have attained recognized educational certifications to ensure a knowledgeable and trustworthy advisor. In a highly competitive market, some licensees are misrepresenting themselves to consumers by claiming a certified private designation or trade organization membership that they do not hold in order to increase their business.

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# IN THE NEWS



## San Mateo County Times

Friday, September 1, 2006

### **EDITORIAL**

#### **Free press protected in state colleges**

AT LAST, the Legislature has decided to lead a fight worth leading. With a signature Monday from Gov. Arnold Schwarzenegger, California became the first state in the nation to protect college student press from censorship.

The governor signed into law a bill sponsored by Assembly Speaker Pro Tem Leland Yee, D-Daly City, that prohibits censorship of college student press, including school newspapers and broadcast journalism.

In signing the bill Schwarzenegger said, "Freedom of speech is the cornerstone of

our democracy. Students working on college newspapers deserve the same rights afforded to every other student journalist."

We couldn't agree more. The state already protects high school journalists. Our only regret about this bill is that it doesn't take effect until Jan. 1.

It had long been assumed in the state that college papers and broadcast stations had such a protection. But passing such a measure became necessary because of a recent ruling by the 7th U.S. Circuit Court of Appeals.

The ruling, known as *Hosty v. Carter*, involved two editors and a reporter at the *Innovator*, a student newspaper at Governor's State University in Illinois.

The paper published a series of articles critical of the school's administration, including one about the decision not to renew the contract of the *Innovator's* adviser. The student affairs dean then instituted a

requirement that the newspaper submit articles to the administration for approval prior to publication.

The trial court ruled in the students' favor, but the 7th Circuit disagreed and the U.S. Supreme Court failed to take the case, which has the effect of leaving the 7th Circuit ruling in place.

It was this decision that prompted Christine Helwick, general counsel for the California State University system, to send a memo to presidents at each CSU campus that read, "The (*Hosty*) case appears to signal that CSU campuses may have more latitude than previously believed to censor the content of subsidized student newspapers."

But by passing this bill the Legislature has quashed that noise. The bill is a clear statement that the Legislature intends for college journalists to have protection from censorship.

As Yee pointed out Monday, "College journalists deserve the same protections as any other journalist. Allowing a school administration to censor is contrary to the democratic process and the ability of a student newspaper to serve as the watchdog and bring sunshine to the actions of school administrators."

This bill ensures such free speech protections for college publications, specifically prohibiting censorship of student newspapers at any UC, CSU or community college.

It prohibits any college, university or community college officials from disciplining a student who engages in speech or press activities.

We strongly support this measure and are happy to see that California can be the first of what we expect to be many states to make such an affirmative statement about freedom of the press. ❖

## DailyBreeze LAX TO L.A. HARBOR

Wednesday, August 23, 2006

### **EDITORIAL**

#### **Senate squanders chance to shine light on UC pay**

While personnel matters about performance should remain behind closed-doors, the public has right to be apprised of officials' compensation and perks.

Why would the California Senate ditch a bill to make the committees of the

University of California regents decide specific top executives' compensation in open session? Why oppose transparency when audits show that in spite of UC policy many top UC officials' extra pay and perks were never disclosed to the regents, much less the public?

The bill, introduced by Assembly Speaker pro tem Leland Yee, D-San Francisco, allows closed-session discussions of an executive's or applicant's performance or personality. But come time to discuss his or her compensation package, the door must open. And when the full Board of Regents approves that

compensation, it too must open its door.

The Senate Education Committee handily passed Yee's bill. But the Appropriations Committee essentially killed it Thursday.

Could it possibly be the cost of opening up a pay-approval process infamous more for being breached than followed? Hardly.

The Senate's own analysis of the bill sets the number of closed sessions that would have to be open at 683 and their cost at \$567,820 a year. That's a lot of meetings on executive pay. Yee disputes the number, but he amended his bill to exempt meetings at which the

only regents present are ex-officio, such as the UC president. And against the \$334 million in additions to salary for UC executives in 2004 and 2005 - much of it unknown to the regents - \$567,820 is a drop in that bucket filled by state taxpayers.

Could it possibly be that UC's opposition to this bill holds more sway with the Senate than transparency? If so, imagine its consternation next year when Yee reintroduces his bill with one major change: It will apply as well to the Cal State system, recently revealed as similarly secretive and spendthrift on executive pay. ❖



Thursday

## Bay City News

August 31, 2006

# New legislation seeks disaster preparedness plans for animals

The remembrance of Hurricane Katrina's effects on both people and animals in the Gulf Coast has prompted Bay Area lawmakers to initiate new disaster preparedness plans and legislation to protect animals.

A bill introduced by U.S. Rep. Tom Lantos, D-San Francisco/San Mateo, dubbed the PETS Act, or Pets Evacuation and Transportation Standards Act, was recently passed in both the House and Senate and would require state and local emergency preparedness agencies to submit plans that "address the needs of individuals with household pets and service animals following a major disaster or emergency."

On the state level, a new disaster preparedness bill authored by Assembly Speaker pro Tem Leland Yee, D-San Francisco/Daly City, passed the state Assembly on Monday and awaits approval by Gov. Arnold Schwarzenegger.

If passed, AB 450 would require the state Department of Agriculture, the Office of Emergency Services

and other agencies to develop a plan for "the needs of service animals, livestock, equines and individuals with household pets" after a disaster or major emergency, Yee's office reported.



Yee



Lantos

According to Yee's office, the main reason people re-enter unsafe areas following a disaster is to rescue their pets. In addition, evacuations have been hindered due to the reluctance of evacuees to abandon their pets, putting themselves and emergency personnel at further risk.

A statement from Yee's office cited estimates that more than 235,000 animals died during the 2005 hurricanes in the Gulf Coast.

"In California, we have the ever-present threat of fire, flood, and earthquake," Yee said. "It is important that we consider animals in our disaster planning as they play a critical role in our lives and our economy."

Yee's office named several organizations that support AB 450, including the Humane Society, the Alliance

of Western Milk Producers, the American Society for the Prevention of Cruelty to Animals, the California Cattlemen's Association, the California Farm Bureau Federation and the California Veterinary Medical Association.

Dr. Elliot Katz, veterinarian and founder and president of the Marin County-based animal advocacy and rescue organization *In Defense of Animals*, said he is supportive of the legislative efforts to protect animals, and by extension, their owners.

Katz said members and volunteers from *In Defense of Animals* were among those working to save pets in Louisiana and Mississippi in the aftermath of Hurricane Katrina.

The biggest dangers people faced trying to save their pets, he said, were by going out in boats and climbing onto roofs, and later on, venturing into areas contaminated by mold and toxins in the water.

Katz wanted people, including legislators, to consider the close bond between people and their pets, and the sadness that accompanies the loss of a pet during a disaster.

"For so many people, their animal companion was a

member of their family," he said. "Not to know whether the animal was saved or whether it died creates great concern."

"Some people feel it's a frivolous thing," Katz added, talking about concerns for the well-being of pets during a disaster. "It's a sad reflection on their callousness that they don't recognize the needs of other species."

"In Louisiana, the government just treated animals as commodities, as property," he said. Animal advocacy groups such as his and the Marin Humane Society are "trying to change that perception," he said.

Katz said the two Marin-based organizations are sponsoring a film event marking the one-year anniversary of Hurricane Katrina.

On Sept. 6 at 7 p.m., there will be a special screening of a documentary, "Dark Water Rising: The Truth About Hurricane Katrina Animal Rescues," at the Smith Rafael Film Center in San Rafael. The film's director, Mike Shiley, will be on hand to answer questions, and the Marin Humane Society's Cindy Machado will speak on disaster preparedness for people with pets.







Wednesday

## San Francisco Chronicle

NORTHERN CALIFORNIA'S LARGEST NEWSPAPER

August 16, 2006

### OPED

## Let taxpayers know how their money is being spent

*By Leland Yee*

FOLLOWING A SERIES of audits, a public-interest lawsuit and intense media coverage, it is now known that the University of California administration failed to obtain or even ask for public approval from the UC Board of Regents for bloated compensation packages for numerous top executives, likely costing taxpayers millions of dollars. To help prevent future backroom deals, I have introduced legislation requiring public meetings for all discussions regarding UC executives' compensation.

For too long, UC has been acting in secrecy when it comes to determining high-level salaries. AB775 will bring sunshine to these discussions, provide members of the media the democratic access they deserve and restore the public's trust. The UC regents have pledged to manage public dollars with full transparency; this bill will make sure that the light will indeed shine on UC.

Karl Olson, a lawyer for The Chronicle, recently joined me in presenting this bill in legislative policy committee. He said, "UC's top management has been acting as if the university is a privately held company and it can spend money as it sees fit and make compensation decisions behind closed doors, with occasional rubber-stamp approval from the regents. But

UC is a public trust, and its actions have to be taken openly."

Unlike any other public entity, UC has been holding closed committee meetings to discuss and act upon top executives' salaries, benefits and perks. AB775 would clarify that both regents' committees and the full Board of Regents must meet openly when considering and acting upon top executives' compensation. Specifically, requiring discussion and actions on compensation proposals involving the UC president/chancellor, chancellors/campus presidents, vice presidents of agriculture, administration, academic affairs, budget, health, business affairs, and human resources; treasurer; assistant treasurer; general counsel; and regents' secretary to occur in open session of the appropriate committee of the UC regents, with final action occurring in open session of the full Board of Regents.

This is necessary because UC paid some top employees more than what was reported to the public. In some cases, payment was not even approved by the regents. In fact, The Chronicle reported that university auditors found that 143 exceptions to UC's compensation policies were made to give extra pay or benefits to 113 senior managers. In addition, Pricewaterhouse Coopers' auditors

found 91 additional exceptions for a different group of UC executives.

Considering UC students have faced significant tuition and fee increases over the past several years, we need to put an end to these exorbitant compensation packages being approved in secret and in complete violation of UC policy, and allow taxpayers and students input into these decisions.

AB 775 was recently approved on a bipartisan 8-1 vote in the Senate Education Committee. It is imperative that the Legislature and the governor join the California Newspaper Publishers Association, Council of UC Faculty Associations, UC Student Association, AFSCME, California Labor Federation, California Nurses Association, California Federation of Teachers and others in support of this open-government bill.

As a graduate of the University of California, I understand that we need to continue to attract the very best talent to our universities, but we must also restore the confidence of the taxpayers, students and the Legislature, and make sure the UC lives up to its own motto, *Fiat lux*, Latin for "Let there be light." The public deserves nothing less.

**[CLICK TO HEAR  
LELAND YEE ON AB 775](#)**

